

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROYAL BOROUGH OF
KENSINGTON AND CHELSEA,

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Petitioner,

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v.

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1:22-cv-8303-PKC

TARA BAFNA-LOUIS
(a/k/a Talia Becker, Talia Louis,
Tara Becker, Tara Baynard,
Taliya Becker and/or Taliya Louis),

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RETURN ORDER

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Respondent.

The Court's Opinion, Findings of Fact, Conclusions of Law, and Order (ECF 87) directed the Petitioner to submit a Proposed Order directing the return of Baby L and gave Respondent's counsel an opportunity to respond with a counterproposal. Both sides have submitted Proposed Orders. (ECF 88, 94.) The two Proposed Orders are nearly identical in most material respects, although they do differ as to the timing of the return. The Proposed Orders contain more detail than the Court had envisioned, but given that the parties are in substantial agreement, the Court adopts the proposals in substantial part, with the Court's modifications.

This Return Order is made pursuant to the 1980 Convention on the Civil Aspects of International Child Abduction (the "Hague Abduction Convention"), and the International Child Abduction Remedies Act ("ICARA"), 42 U.S.C. 9001 *et seq.* In accordance with this Court's Opinion, Findings of Fact, Conclusions of Law, and Order, it is this 21st day of March, 2023, by the United States District Court for the Southern District of New York, hereby:

1. **ORDERED**, that Baby L, who is identified in the Petition as LCJB and was born in 2021, shall be returned to London, England on Wednesday, May 17, 2023 in the care and

company of the Respondent, Tara Bafna-Louis (a/k/a Talia Becker) (the “Mother”), subject to the conditions and restrictions set forth in Paragraphs 2-10 below; and it is further

2. **ORDERED**, that the Mother shall return Baby L to London, England on a nonstop flight departing on Tuesday, May 16, 2023 from John F. Kennedy International Airport (“JFK”) in New York and arriving at London Heathrow Airport (“LHR”) on Wednesday, May 17, 2023; and it is further

3. **ORDERED**, that the Mother shall promptly and timely take all steps necessary to obtain any and all necessary travel documents, including but not limited to any necessary new or replacement passports and visas, for her own travel and for Baby L’s travel to England. The Mother shall comply with the terms of this Paragraph 3, even if she elects not to return to England herself with Baby L, in accordance with Paragraphs 6 and 7 below. The provisions of this Return Order, including the provisions of this Paragraph 3, do not preclude or prohibit the RBKC from making any and all appropriate applications or requests to any immigration office, passport office, visa office, embassy, consulate, or other government agency if necessary to ensure that Baby L has a valid passport or other travel document available for the purpose of returning to England in accordance with this Return Order, so long as the aforementioned actions of RBKC will not interfere or conflict with the Mother’s efforts as required by this Paragraph 3; and it is further

4. **ORDERED**, that the Mother, through her counsel of record in this matter, shall provide a complete copy of the airline ticket booking and payment confirmation (for her own and Baby L’s travel to England) to Petitioner’s counsel of record in this matter via email, on or before Monday, May 1, 2023 at 5:00 p.m. EDT; and it is further

5. **ORDERED**, that the Mother, through her counsel of record in this matter, shall provide to Petitioner’s counsel of record in this matter via email color copies of all pages of the passports, visas, and other travel documents she will use for her own travel and for Baby L’s travel,

on or before Monday, May 1, 2023 at 5:00 p.m. EDT. To the extent the Mother already has in her possession, custody and control any such passports, visas, and other travel documents, the required email (with the required copies attached as an exhibit) shall be sent within 72 hours of entry and service of this Return Order; and it is further

6. **ORDERED**, that if the Mother elects not to return to England with Baby L, she shall, through her counsel of record in this matter, so notify this Court and all other counsel of record in this matter by filing a letter through the Court's CM/ECF system on or before Monday, May 1, 2023 at 5:00 p.m.; and it is further

7. **ORDERED**, that if the Mother elects not to return to England with Baby L, the following provisions, conditions, and restrictions shall apply to Baby L's return to England:

A. The Petitioner, Royal Borough of Kensington and Chelsea ("RBKC"), shall make arrangements for Baby L's travel to England, either traveling with a social worker from RBKC, or another social worker designee of its choice travelling with Baby L, departing from New York on Friday, May 19, 2023 and arriving in London, England on Saturday, May 20, 2023;

B. RBKC, through its counsel of record in this matter, shall provide a copy of the airline ticket booking and payment confirmation for Baby L's travel to England with the social worker or social worker designee via email to the Respondent's counsel of record in this matter also via email, on or before Tuesday, May 9, 2023 at 5:00 p.m. EDT;

C. The Mother, through her counsel of record in this matter, shall transmit all of Baby L's original, new, and replacement passports, visas, and travel documents, and any other of Baby L's passports in her possession, custody, and control, to the RBKC's counsel of record in this matter by Federal Express or United States Postal Service, to be delivered no later than 12:00 noon on Monday, May 8, 2023 to RBKC's counsel's office located at the following address: Stephen J. Cullen, ESQ., Miles & Stockbridge P.C., 1201 Pennsylvania Avenue, N.W., Suite 900,

Washington, D.C. 20004. The Mother's counsel of record in this matter shall provide the tracking number to RBKC's counsel via email no later than 5:00 p.m. on Friday, May 5, 2023;

D. The RBKC social worker (or social worker designee) shall pick up Baby L from the Mother at 10:00 a.m. EDT on Friday, May 19, 2023 in the main lobby of the Mother's apartment building, located at: 20 East 74th Street, New York, NY 10021. The Mother shall cooperate to deliver Baby L to the RBKC social worker (or social worker designee) at the time and location provided in this paragraph; and it is further

8. **ORDERED**, that in accordance with 22 U.S.C. § 9004, the Mother shall be and hereby is prohibited from removing Baby L or causing Baby L to be removed from the State of New York, before Baby L's departure from New York for England on either May 16, 2023 with the Mother or on May 19, 2023 with RBKC or its designee; and it is further

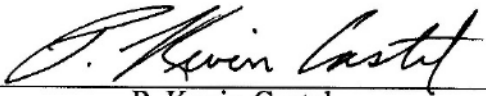
9. **ORDERED**, that RBKC's counsel of record in this matter shall file a notice in this Court through the Court's CM/ECF system promptly upon Baby L's return to England, to confirm to this Court that Baby L has been returned to England; and it is further

10. **ORDERED**, that this Return Order and the Court's Opinion, Findings of Fact, Conclusions of Law, and Order (ECF 87), which are public documents and subject to public access, may be disclosed to the High Court of England & Wales, any other United Kingdom or United States of America court or any solicitor or barrister or attorney and counselor-at-law representing the Mother or any governmental agency in the United Kingdom or the United States of America, including, but not limited to the Secretary of State for the Home Department ("SSHD"), and any and all SSHD employees and contractors; and it is further

11. **ORDERED**, that this Return Order is made under the authority of 22 U.S.C. 9003(a), conferring original jurisdiction upon this Court, and under the authority of Article 12 of the Hague Abduction Convention; and it is further

12. **ORDERED**, THAT THIS ORDER IS BINDING ON THE PARTIES, THEIR OFFICERS, AGENTS, SERVANTS, EMPLOYEES, ATTORNEYS, AND THOSE WHO ARE IN ACTIVE CONCERT AND PARTICIPATION WITH THEM. ANY VIOLATION OF THIS ORDER IS PUNISHABLE AS CONTEMPT OF COURT.

SO ORDERED.


P. Kevin Castel
United States District Judge

Dated: New York, New York
March 21, 2023